



MAINE STATE POLICE GENERAL ORDER

E-104

SUBJECT: MAINE STATE POLICE POLICY REGARDING THE INVESTIGATION OF STATE VEHICLE CRASHES

EFFECTIVE DATE: 08.01.2020

EXPIRATION DATE: 08.01.2027

RECENT HISTORY: AMENDED (08.01.2020); AMENDED (06.23.2015); TECHNICAL CHANGE (10.04.2011); CONVERTED TO WEB FORMAT (01.06.2009); FORMERLY GENERAL ORDER 61D; RESCINDED POLICY NO. 19

DISTRIBUTION CODE: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: C, S, Z

SIGNATURE OF COLONEL:

A handwritten signature in black ink, appearing to read "W. B. R.", is written over a light blue rectangular background.

I. PURPOSE

1. The purpose of this General Order is to establish a uniform method of investigating and reporting all motor vehicle crashes involving State vehicles, other than Department of Public Safety vehicles operated by Maine State Police officers.

II. POLICY

1. The policy of the Maine State Police is to investigate motor vehicle crashes involving State vehicles, to accurately document such crashes, and to cooperate with the State of Maine, Division of Risk Management to ensure that the division receives information it needs to evaluate and process claims.

III. DEFINITIONS

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
 - A. Crash. "Crash" means an unintentional event caused by a motor vehicle in motion on a public way that results in personal injury, death, or property damage.
 - B. Nonreportable crash. "Nonreportable crash" means a crash that does not result in personal injury or death, but does result in property damage in an amount less than \$1,000.
 - C. Operator. "Operator" means an operator of, a known operator of, or a person responsible for a vehicle.
 - D. Reportable crash. "Reportable crash" means a crash that results in personal injury, death, or property damage in the amount of \$1,000 or more.
 - E. State vehicle. "State vehicle" means a vehicle registered to any department, agency, or entity of the State of Maine, including, but not limited to, the Maine Technical College System or Maine Maritime Academy.
 1. A Maine Department of Public Safety vehicle operated by someone other than a sworn member of the Maine State Police is a State vehicle.
 2. A vehicle registered to the University of Maine System is not a State vehicle.

IV. PROCEDURE

1. REPORTING AND INVESTIGATING STATE VEHICLE CRASHES
 - F. The primary officer investigation a State vehicle crash shall:
 1. Use all necessary resources to ensure that the crash investigation is complete and that the resulting reports are factual. Resources include, but are not limited to:
 - a. Crash reconstruction;
 - b. Forensic vehicle autopsy;
 - c. Forensic mapping;
 - d. Crime Lab analysis;
 - e. Drug recognition; and/or
 - f. Major Crime Unit personnel;
 2. Ensure that photographs of the crash scene are taken as follows:

- a. For the purposes of investigation, the officer should take all necessary photographs and submit them via the File Mover program;
 - b. If another agency investigates the crash and a Maine State Police officer assists, the officer should take photographs pursuant to this paragraph. The investigating officer shall take photographs that depict the following:
 - (1) Any damage to the State vehicle;
 - (2) Any damage to any other vehicles or property;
 - (3) The scene of the crash from each operator's perspective; and
 - (4) Any reasonably possible contributing factors, e.g., vision obscurements, weather or road conditions;
3. Notify the Division of Risk Management, as soon as practicable, if the involved State vehicle is a Department of Public Safety vehicle;
 4. Ensure that all reports required by this policy are complete and accurate, completed in the required time period, and filed correctly;
 5. If the crash involves a Department of Public Safety vehicle, ensure that the Supervisor of Fleet Maintenance is notified as soon as practicable.

G. REPORTS

1. Teletype, File 14-B
 - a. The primary officer assigned to investigate an crash involving a Department of Public Safety vehicle shall initiate a File 14-B teletype message as soon as practicable, directed to the Colonel, Lieutenant Colonel, Operations Major, Support Services Major, Supervisor of Fleet Maintenance, and the Department of Public Safety Public Information Officer.
2. Police Crash Report
 - a. The primary investigating officer shall submit Police Traffic a Crash Report for a reportable crash within five (5) days after the crash.
 - b. The Supervisor of Fleet Maintenance shall be contacted the following business day by the operator of the Department of Public Safety vehicle so that an estimate of damage may be ascertained.

3. Crash /Incident Report (yellow form)

- a. The State employee who was the operator of the State vehicle must submit the Crash /Incident Report (yellow form) to the Division of Risk Management as soon as practicable following the crash . If the vehicle is a Department of Public Safety vehicle, the operator shall forward a copy of the form to the Supervisor of Fleet Maintenance. The yellow form is the equivalent of the 48-hour form and must be completed within 48 hours after the time of the crash.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.